

1  
2  
3  
4  
5  
6  
7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 OAKLAND DIVISION

11 UNITED STATES OF AMERICA,	)	No. CR-08-00652-SBA
	)	
12 Plaintiff,	)	ORDER GRANTING STIPULATED
	)	REQUEST TO CONTINUE HEARING
13 v.	)	DATE TO NOVEMBER 3, 2009 AND TO
	)	EXCLUDE TIME UNDER THE SPEEDY
14 LONNIE IVORY PETERSON,	)	TRIAL ACT
	)	
15 Defendant.	)	Date: October 20, 2009
	)	Time: 11:00 a.m.
16	)	Court: Hon. Sandra Brown
	)	Armstrong
17	)	

18  
19 The parties jointly requested that the hearing in this matter be continued from October  
20 20, 2009 to November 3, 2009, and that time be excluded under the Speedy Trial Act between  
21 October 120, 2009 and November 3, 2009 to allow (1) for continuity of defense counsel, and (2)  
22 for the time period between defendant's filing of a pretrial motion and the hearing on the same  
23 motion.

24 Defense counsel is in trial on another matter in state court and previously estimated that it  
25 would be completed by October 20, 2009. It appears, however, that the trial will not be  
26 completed by that date, but defense counsel estimates that it will be completed by October 27,  
27 2009. Defense counsel is not available on October 27, 2009, however, due to a preliminary  
28 hearing in state court on that date. The parties agree the ends of justice served by granting the

1 continuance outweigh the best interests of the public and defendant in a speedy trial. Therefore,  
2 the parties further stipulated and requested that the Court exclude time between the date of the  
3 stipulation and November 3, 2009 under the Speedy Trial Act for continuity of defense counsel  
4 pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv). Additionally, the parties stipulated and  
5 requested that the Court exclude time between the date of the stipulation and November 3, 2009  
6 under the Speedy Trial Act for the time period between defendant's filing of a pretrial motion  
7 and the hearing on the same motion pursuant to 18 U.S.C. § 3161(h)(1)(D). Good cause  
8 appearing therefor, and pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv) and 3161(h)(1)(D),

9 **IT IS HEREBY ORDERED** that the hearing in this matter is continued from October  
10 20, 2009 to November 3, 2009 at 11:00 a.m., and that time between October 20, 2009 and  
11 November 3, 2009 is excluded under the Speedy Trial Act to allow for continuity of defense  
12 counsel, and the time period between defendant's filing of a pretrial motion and the hearing on  
13 the same motion.

14  
15 DATED: 10/16/09

  
HON. SAUNDRA BROWN ARMSTRONG  
United States District Judge